

Leach  
Lewis (CA)  
Lewis (KY)  
Linder  
LoBiondo  
Lucas (KY)  
Lucas (OK)  
Manzullo  
Matheson  
McCarthy (NY)  
McCrery  
McHugh  
McInnis  
McIntyre  
McKeon  
Meehan  
Menendez  
Mica  
Miller, Dan  
Miller, Gary  
Miller, Jeff  
Mollohan  
Moore  
Moran (KS)  
Moran (VA)  
Morella  
Murtha  
Myrick  
Nethercutt  
Ney  
Northup  
Norwood  
Nussle  
Obey  
Ortiz  
Osborne  
Ose  
Otter  
Oxley  
Paul  
Pence  
Peterson (PA)

Petri  
Pickering  
Pitts  
Platts  
Pombo  
Portman  
Pryce (OH)  
Putnam  
Quinn  
Radanovich  
Rahall  
Ramstad  
Regula  
Rehberg  
Reyes  
Reynolds  
Roemer  
Rogers (KY)  
Rogers (MI)  
Rohrabacher  
Ros-Lehtinen  
Roukema  
Royce  
Ryan (WI)  
Ryun (KS)  
Sandlin  
Saxton  
Schaffer  
Schiff  
Schrock  
Sensenbrenner  
Sessions  
Shadegg  
Shaw  
Shays  
Sherwood  
Shimkus  
Shuster  
Simmons  
Simpson  
Skeen  
Smith (MI)

Smith (NJ)  
Smith (TX)  
Snyder  
Souder  
Spratt  
Stearns  
Stenholm  
Stump  
Sullivan  
Sununu  
Sweeney  
Tancred  
Tauzin  
Taylor (NC)  
Terry  
Thomas  
Thornberry  
Thune  
Tiahrt  
Tiberi  
Toomey  
Turner  
Upton  
Vitter  
Walden  
Walsh  
Wamp  
Watkins (OK)  
Watt (NC)  
Watts (OK)  
Weiner  
Weldon (FL)  
Weldon (PA)  
Weller  
Whitfield  
Wicker  
Wilson (NM)  
Wilson (SC)  
Wolf  
Young (AK)  
Young (FL)

Watson (CA)  
Waxman  
  
Boucher  
Combest  
Gilchrest  
Greenwood

Wexler  
Woolsey  
  
Houghton  
Kingston  
Lewis (GA)  
Riley

Wu  
Wynn  
  
Serrano  
Smith (WA)  
Traficant

## NOT VOTING—11

□ 1143

Mr. WYNN and Ms. SCHAKOWSKY changed their vote from “aye” to “no.” Messrs. SANDLIN, COSTELLO, OTTER, BLUMENAUER, BAIRD and MOORE changed their vote from “no” to “aye.”

So the motion to table was agreed to. The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Mr. WELDON of Pennsylvania. Mr. Speaker, I include for the RECORD this brief one-paragraph statement by the Supreme Court in their opinion that the Senator had no standing in objecting to what President Carter did.

[GOLDWATER ET AL. V. CARTER, PRESIDENT OF THE UNITED STATES, ET AL.]

[444 U.S. 996; 100 S. Ct. 533; 62 L. Ed. 2d 428; 1979 U.S. Lexis 4144]

[\*\*533] Certiorari granted, judgment vacated, and case remanded with directions to dismiss the complaint. Mr. Justice Marshall concurs in the result. Mr. Justice Powell concurs in the judgment [\*997] and filed a statement. Mr. Justice Rehnquist concurs in the judgment and filed a statement in which The Chief Justice, Mr. Justice Stewart, and Mr. Justice Stevens join. Mr. Justice White and Mr. Justice Blackmun join in the grant of the petition for writ of certiorari but would set the case for argument and give it plenary consideration. Mr. Justice Blackmun filed a statement in which Mr. Justice White joins. Mr. Justice Brennan would grant the petition for writ of certiorari and affirm the judgment of the Court of Appeals and filed a statement. Reported below.—U.S. App. D.C. , F.2d .

□ 1145

## GENERAL LEAVE

Mr. KUCINICH. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks with respect to the debate on the point of order just concluded.

The SPEAKER pro tempore (Mr. LAHOOD). Without objection, those remarks will appear after the proceedings in the RECORD.

There was no objection.

## PERMANENT DEATH TAX REPEAL ACT OF 2002

Mr. HASTINGS of Washington. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 435 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

## H. RES. 435

*Resolved*, That upon the adoption of this resolution it shall be in order to consider in the House the bill (H.R. 2143) to make the repeal of the estate tax permanent. The bill

shall be considered as read for amendment. The previous question shall be considered as ordered on the bill and on any amendment thereto to final passage without intervening motion except: (1) one hour of debate on the bill equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means; (2) the amendment in the nature of a substitute printed in the report of the Committee on Rules accompanying this resolution, if offered by Representative Rangel of New York or his designee, which shall be in order without intervention of any point of order, shall be considered as read, and shall be separately debatable for one hour equally divided and controlled by the proponent and an opponent; and (3) one motion to recommit with or without instructions.

The SPEAKER pro tempore. The gentleman from Washington (Mr. HASTINGS) is recognized for 1 hour.

Mr. HASTINGS of Washington. Mr. Speaker, for purposes of debate only, I yield the customary 30 minutes to the gentleman from Florida (Mr. HASTINGS); pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purposes of debate only.

(Mr. HASTINGS of Washington asked and was given permission to revise and extend his remarks.)

Mr. HASTINGS of Washington. Mr. Speaker, House Resolution 435 is a modified closed rule providing for the consideration of H.R. 2143, the Permanent Death Tax Repeal Act of 2001. The rule provides 1 hour of debate to be equally divided between the chairman and ranking minority member of the Committee on Ways and Means. The rule provides for consideration of the amendment in the nature of a substitute printed in the report of the Committee on Rules accompanying the resolution, if offered by the gentleman from New York (Mr. RANGEL) or his designee, which shall be considered as read and shall be debatable for 1 hour equally divided by a proponent and an opponent.

The rule waives all points of order against the substitute and provides for one motion to recommit with or without instructions.

Mr. Speaker, when Congress passed the Economic Growth and Tax Relief Reconciliation Act of 2001, providing for the phaseout and eventual repeal of Federal death taxes on American families, an arcane rule applicable only in the other body required that these long overdue reforms be abandoned after 10 years, in 2011.

The original version of the legislation, passed here in this Chamber, contained no such time limitation, and for good reason. That is because the ability of a family or business to plan for the future is seriously undermined whenever major uncertainty exists about the likely tax impact of important financial decisions. In truth, the net effect of the other body's decision to “sunset” the death tax repeal is to tell anyone planning to die 10 or more years from now that they might want to reconsider speeding things up. That

## NOES—169

Abercrombie  
Ackerman  
Allen  
Andrews  
Baca  
Baldacci  
Baldwin  
Barcia  
Barrett  
Becerra  
Bentsen  
Berkley  
Berry  
Blagojevich  
Bonior  
Borski  
Boswell  
Boyd  
Brady (PA)  
Brown (FL)  
Brown (OH)  
Capps  
Cardin  
Carson (IN)  
Clay  
Clayton  
Clement  
Clyburn  
Condit  
Conyers  
Coyne  
Crowley  
Cummings  
Davis (CA)  
Davis (IL)  
DeFazio  
DeGette  
Delahunt  
DeLauro  
Deutsch  
Dicks  
Dingell  
Doggett  
Dooley  
Doyle  
Engel  
Eshoo  
Etheridge  
Evans  
Farr  
Fattah  
Filner  
Ford  
Frost  
Gephardt

Gonzalez  
Gordon  
Green (TX)  
Gutierrez  
Hall (OH)  
Harman  
Hastings (FL)  
Hill  
Hilliard  
Hinchey  
Hinojosa  
Hoeffel  
Holt  
Honda  
Hoolley  
Hoyer  
Inslee  
Israel  
Jackson (IL)  
Jackson-Lee  
(TX)  
Jefferson  
Johnson, E. B.  
Jones (OH)  
Kaptur  
Kennedy (RI)  
Kildee  
Kilpatrick  
Kind (WI)  
Klecicka  
Kucinich  
LaFalce  
Lampson  
Langevin  
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Larsen (WA)  
Larson (CT)  
Lee  
Levin  
Lipinski  
Lofgren  
Lowey  
Luther  
Lynch  
Maloney (CT)  
Maloney (NY)  
Markey  
Mascara  
Matsui  
McCarthy (MO)  
McCollum  
McDermott  
McGovern  
McKinney  
McNulty

Meek (FL)  
Meeks (NY)  
Millender-  
McDonald  
Miller, George  
Mink  
Nadler  
Napolitano  
Neal  
Oberstar  
Olver  
Owens  
Pallone  
Pascarelli  
Pastor  
Payne  
Pelosi  
Peterson (MN)  
Phelps  
Pomeroy  
Price (NC)  
Rangel  
Rivers  
Rodriguez  
Ross  
Rothman  
Roybal-Allard  
Rush  
Sabo  
Sanchez  
Sanders  
Sawyer  
Schakowsky  
Scott  
Sherman  
Shows  
Skelton  
Slaughter  
Solis  
Stark  
Strickland  
Stupak  
Tanner  
Tauscher  
Taylor (MS)  
Thompson (CA)  
Thompson (MS)  
Thurman  
Tierney  
Towns  
Udall (CO)  
Udall (NM)  
Velazquez  
Visclosky  
Waters